

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA

v.

JOHNNIE JAY GAKING IV,  
a/k/a BABY JOHN,  
a/k/a BABY JOHNNY

**INDICTMENT**

Case No. \_\_\_\_\_

Violations: 18 U.S.C. §§ 113(a)(1), 1111,  
3559(d), and 1153

**COUNT ONE**

**Second-Degree Murder within Indian Country**

The Grand Jury Charges:

On or about March 4, 2025, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

JOHNNIE JAY GAKING IV,  
a/k/a BABY JOHN, a/k/a BABY JOHNNY,

an Indian, did unlawfully kill a human being, namely CHILD VICTIM who had not attained the age of 14 years, with malice aforethought;

In violation of Title 18, United States Code, Sections 1111, 1153, and 3559(d).

COUNT TWO

**Second-Degree Murder within Indian Country**

The Grand Jury Further Charges:

On or about March 4, 2025, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

JOHNNIE JAY GAKING IV,  
a/k/a BABY JOHN, a/k/a BABY JOHNNY,

an Indian, did unlawfully kill a human being, namely, ADULT VICTIM 2, with malice aforethought;

In violation of Title 18, United States Code, Sections 1111 and 1153.

COUNT THREE

**Assault with Intent to Commit Murder**

The Grand Jury Further Charges:

On or about March 4, 2025, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

JOHNNIE JAY GAKING IV,  
a/k/a BABY JOHN, a/k/a BABY JOHNNY,

an Indian, did assault ADULT VICTIM 1 with intent to commit murder by shooting ADULT VICTIM 1 with a firearm;

In violation of Title 18, United States Code, Sections 113(a)(1) and 1153.

COUNT FOUR

**Assault with Intent to Commit Murder**

The Grand Jury Further Charges:

On or about March 4, 2025, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

JOHNNIE JAY GAKING IV,  
a/k/a BABY JOHN, a/k/a BABY JOHNNY,

an Indian, did assault ADULT VICTIM 3 with intent to commit murder by discharging a firearm at ADULT VICTIM 3;

In violation of Title 18, United States Code, Sections 113(a)(1) and 1153.

FORFEITURE NOTICE

Upon conviction of the offenses alleged in this Indictment,

JOHNNIE JAY GAKING IV,  
a/k/a BABY JOHN, a/k/a BABY JOHNNY,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of the offense, including, but not limited to, the following:

- One Smith and Wesson .380 Serial Number REB5146;
- One Smith and Wesson MP9 M2.0 Serial Number SBM6204; and
- One Ruger SP101 .327 Fed Mag Serial Number 578-72226.

A TRUE BILL:

/s/ Foreperson

Foreperson

/s/ Jennifer Klemetsrud Puhl

JENNIFER KLEMETSRUD PUHL

Acting United States Attorney

LHC/vlt